

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 96-CR-80488-DT

vs.

MAG. JUDGE WALLACE CAPEL, JR.

CALVIN BAKER,

Defendant.

**ORDER DISMISSING PETITION
FOR SUPERVISED RELEASE VIOLATION**

The Defendant, Calvin Baker, initially appeared before the Court on April 25, 2002, based upon a Petition and Warrant for Violation of Supervised Release. He was released on an unsecured bond of \$25,000.00 on that date. As part of the Defendant's release in this case, The Order Setting Conditions Release in this matter required that the Defendant reside at the Flint Odyssey House and participate in a program for substance abuse.

In October, 2002, the Defendant left the residential treatment center in violation of the Court's previous order. On February 7, 2003, the Court issued a bond violation warrant.

The Defendant also had a state parole violation warrant issued against him, and on March 3, 2003, the Defendant was arrested on the state parole violation warrant. His state parole was revoked on March 26, 2003, and he was returned to the state prison facility. The Defendant completed his term of incarceration with the State of Michigan on May 13, 2005.

On May 13, 2005, the Defendant appeared before the Court on the warrant for violation of the conditions of his bond. At the hearing, the probation officer advised the Court of the status of the Defendant.

Since the Defendant has already served a term of incarceration in state custody; the original offense of Food Stamp Trafficking, being a misdemeanor offense, and the maximum penalty for violation of his supervised release being a period of incarceration of 12 months, I find that there would be no merit in pursuing this matter further.

Accordingly, **IT IS HEREBY ORDERED** that the Petition and Warrant for Violation of Supervised Release is hereby **DISMISSED**.

IT IS ALSO ORDERED that the Defendant is hereby **DISCHARGED** from supervision of the probation office in this matter;

IT IS FURTHER ORDERED that the bond in this matter is hereby **CANCELLED**.

DATED: May 17, 2005

s/Wallace Capel, Jr.
WALLACE CAPEL, JR.
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on May 17, 2005, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following Nancy Abraham, AUSA, and I hereby certify that I have hand delivered, or mailed by United States Postal Service the paper to the following non ECF participants: Kenneth R. Sasse, Federal Defender Office, 653 S. Saginaw St., Ste. 105, Flint, MI 48502 United States Marshal, 600 Church St., Flint, MI 48502, U.S. Probation Office, 600 Church St., Flint, MI 48502

s/ James P. Peltier
James P. Peltier
Courtroom Deputy Clerk
U.S. District Court
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Flint, MI 48502
810-341-7850